

U.S. DISTRICT COURT
EASTERN DISTRICT-WI
UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN
FILED
'09 NOV -3 P1:07

UNITED STATES OF AMERICA,
Plaintiff,
v.

JON W. SANFILIPPO
CLERK

09 CR-277
Case No. 09-CR-
[18 U.S.C. § 1425(a)]

RAFAEL FERNANDO RODRIGUEZ-ALTAGRACIA,
Defendant.

INDICTMENT

COUNT ONE

THE GRAND JURY CHARGES:

1. On or about February 13, 2006, defendant RAFAEL FERNANDO RODRIGUEZ-ALTAGRACIA caused to be prepared and submitted an Application for Naturalization (N-400) with the United States Citizenship and Immigration Services (“CIS”), Department of Homeland Security (“DHS”).

2. On or about April 19, 2006, defendant RAFAEL FERNANDO RODRIGUEZ-ALTAGRACIA, was charged in Waukesha County, Wisconsin, for second degree sexual assault of a child.

3. On or about August 21, 2006, defendant RAFAEL FERNANDO RODRIGUEZ-ALTAGRACIA, was adjudicated guilty in Waukesha County Circuit

Court for second degree sexual assault of a child.

3. On or about October 20, 2006, the Waukesha County Circuit Court sentenced the defendant RAFAEL FERNANDO RODRIGUEZ-ALTAGRACIA to one year in jail during non-working hours and eight years of probation for his conviction of second degree sexual assault of a child.

4. From on or about June 26, 2006, through on or about March 29, 2007, in the State and Eastern District of Wisconsin,

RAFAEL FERNANDO RODRIGUEZ-ALTAGRACIA,

knowingly procured and attempted to procure, contrary to law, naturalization as a United States citizen for himself, by knowingly and willfully making material false statements in connection with his application for naturalization, in violation of 18 U.S.C. § 1001, by:

(a) On or about June 26, 2006, falsely stating, during an interview with an official of the CIS in connection with his application for naturalization, that the only crime for which he had been charged was operating a vehicle while intoxicated, while in fact, and as the defendant well knew, the defendant also was charged in Waukesha County for second degree sexual assault of a child on or about April 19, 2006.

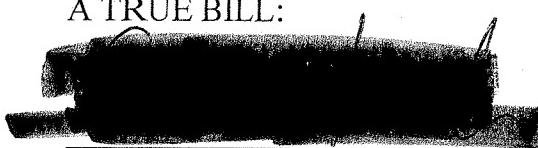
(b) On or about March 29, 2007, falsely stating in a questionnaire provided to him by CIS in connection with his application for naturalization that he had not been convicted of a crime after his June 26, 2006 interview, while in fact, and as the defendant well knew, the defendant was convicted for second degree sexual assault of a child in Waukesha County

on or about August 21, 2006.

(c) On or about March 29, 2007, falsely stating in a questionnaire provided to him by CIS in connection with his application for naturalization that he had not been imprisoned for a crime after his June 26, 2006 interview, while in fact, and as the defendant well knew, the defendant was sentenced to a term of one year in jail during non-working hours by the Waukesha County Circuit Court on or about October 20, 2006.

All in violation of Title 18, United States Code, Section 1425(a).

A TRUE BILL:


FOREPERSON

Dated: Nov 3, 2009


MICHELLE L. JACOBS
United States Attorney